

ESTTA Tracking number: **ESTTA1302795**

Filing date: **08/09/2023**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91277597
Party	Defendant Relativity Space, Inc.
Correspondence address	ALLISON W. BUCHNER KIRKLAND & ELLIS LLP 2049 CENTURY PARK EAST SUITE 3700 LOS ANGELES, CA 90067 UNITED STATES Primary email: trademarks@kirkland.com Secondary email(s): allison.buchner@kirkland.com, jen- nifer.worksman@kirkland.com 310-552-4302
Submission	Other Motions/Submissions
Filer's name	Allison W. Buchner
Filer's email	trademarks@kirkland.com, allison.buchner@kirkland.com, paris.sanders@kirkland.com
Signature	/Allison W. Buchner/
Date	08/09/2023
Attachments	Amendment to Application and Withdrawal of Proceeding - Relativity Space Inc.pdf(116495 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<i>In re Matter of Application No. 97/077,519 for the mark: STARGATE in Classes 7, 25 and 40</i> Metro-Goldwyn-Mayer Studios Inc., Opposer, vs. Relativity Space, Inc., Applicant.	Opposition No. 91-277597 MOTION TO AMEND APPLICATION; WITHDRAWAL OF APPLICATION WITH CONSENT
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------

Pursuant to 37 C.F.R. § 2.133 and TBMP § 514.01, Applicant Relativity Space, Inc. (“Applicant”) moves to amend its application at issue, Ser. No. 97/077,519 (the “Application”), to delete the Class 25 goods – namely, “Clothing, namely, tops, bottoms, shirts, pants, jackets, footwear, hats and caps, athletic uniforms” – and consents to judgment on these goods.

Conditioned upon the Board granting the motion to amend, Applicant, with the consent of Opposer Metro-Goldwyn-Mayer Studios Inc., withdraws the remaining balance of the Application and does so without prejudice.

Respectfully submitted,

Dated: August 9, 2023

/Allison W. Buchner/
Allison W. Buchner
KIRKLAND & ELLIS LLP
2049 Century Park East, Suite 3700
Los Angeles, California 90067
(310) 552-4302

Attorneys for Applicant Relativity Space, Inc.

Dated: August 9, 2023

/Jill M. Pietrini/
Jill M. Pietrini
Paul A. Bost
SHEPPARD MULLIN RICHTER & HAMPTON LLP
1901 Avenue of the Stars, Suite 1600
Los Angeles, California 90067-6017
(310) 228-3700

*Attorneys for Opposer Metro-Goldwyn-Mayer
Studios Inc.*

CERTIFICATE OF E-FILING

I hereby certify that this **MOTION TO AMEND APPLICATION; WITHDRAWAL OF APPLICATION WITH CONSENT** is being transmitted electronically to Commissioner of Trademarks, Attn: Trademark Trial and Appeal Board through ESTTA pursuant to 37 C.F.R. §2.195(a), on this 9th day of August, 2023.

/Allison W. Buchner/

Allison W. Buchner

KIRKLAND & ELLIS LLP

2049 Century Park East, Suite 3700

Los Angeles, California 90067

(310) 552-4302

Attorneys for Applicant Relativity Space, Inc.

CERTIFICATE OF SERVICE

I hereby certify that this **MOTION TO AMEND APPLICATION; WITHDRAWAL OF APPLICATION WITH CONSENT** is being served by email on:

TrademarksCC@sheppardmullin.com
jpietrini@sheppardmullin.com
pbest@sheppardmullin.com
mdanner@sheppardmullin.com
rwalsh@sheppardmullin.com
rlhudson@sheppardmullin.com
lglenn@sheppardmullin.com

on this 9th day of August 2023.

/Allison W. Buchner/

Allison W. Buchner

KIRKLAND & ELLIS LLP

2049 Century Park East, Suite 3700

Los Angeles, California 90067

(310) 552-4302

Attorneys for Applicant Relativity Space, Inc.